

their compensation; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time and was passed to engrossment.

HOUSE BILL NO. 66 ON SECOND READING.

The Speaker laid before the House on its second reading and passage to engrossment,

H. B. No. 66, A bill to be entitled "An Act to provide for the levy and collecting of a severance tax of five per centum on and of the value of skins or hides taken within this State from any fur-bearing animals mentioned in this act; providing for the issuance of trappers' licenses and the disposition of the license fees; defining offenses and prescribing penalties for the violation thereof; providing certain closed seasons on certain wild fur-bearing animals; making it the duty of the Game, Fish and Oyster Commissioner and his deputies to enforce the provisions; declaring all the wild fur-bearing animals of this State to be the property of the people of this State; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read second time.

Mr. Young moved that further consideration of the bill be postponed indefinitely.

Mr. Baker of Milam moved to table the motion, and the motion to table was lost.

Question recurring on the motion to postpone indefinitely, it prevailed.

Mr. McFarlane moved to reconsider the vote by which the bill was postponed indefinitely, and to table the motion to reconsider.

Mr. McFarlane moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 66, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

The roll was called, and developed the fact that there was not a quorum present.

ADJOURNMENT.

On motion of Mr. Satterwhite, the House, at 4:45 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

TWELFTH DAY.

(Monday, June 4, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Johnson.
Amsler.	Laird.
Avis.	Lane.
Baker of Milam.	LeMaster.
Baldwin.	Looney.
Barker.	McDaniel.
Barrett.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Bird.	Melson.
Blount.	Merritt.
Bonham.	Moore.
Cable.	Morgan
Carpenter	of Robertson.
of Dallas.	Pate.
Carpenter	Patman.
of Matagorda.	Patterson.
Carson.	Perdue.
Carter of Coke.	Pinkston.
Carter of Hays.	Pool.
Chitwood.	Potter.
Cowen.	Price.
Crawford.	Purl.
Culp.	Quaid.
Davenport.	Rice.
Davis.	Robinson.
DeBerry.	Rogers.
Dodd.	Sanford.
Downs.	Satterwhite.
Driggers.	Shearer.
Duffey.	Shires.
Dunlap.	Simpson.
Dunn.	Sparkman.
Edwards.	Stell.
Faubion.	Stewart
Fields.	of Edwards.
Finlay.	Stewart
Fugler.	of Galveston.
Green.	Stewart of Jasper.
Greer.	Stewart of Reeves.
Hardin of Erath.	Stiernberg.
Hardin	Storey.
of Kaufman.	Stroder.
Harris.	Teer.
Henderson.	Thrasher.
of Marion.	Turner.
Hendricks.	Wallace.
Howeth.	Westbrook.
Irwin.	Williamson.
Jennings.	Young.

Absent.

Arnold.	McFarlane.
Baker of Orange.	McKean.
Bobbitt.	McNatt.
Burmeister.	Montgomery.
Coffee.	Morgan
Collins.	of Liberty.
Covey.	Pope.
Dielmann.	Quinn.
Gipson.	Rowland.
Henderson	Russell
of McLennan.	of Callahan.
Houston.	Smith.
Hughes.	Stevens.
Hull.	Strickland.
Jacks.	Thompson.
Kemble.	Vaughan.
Lackey.	Wells.
LeStourgeon.	Wessels.
Lewis.	Wilson.
Loftin.	Winfree.
McDonald.	

Absent—Excused.

Atkinson.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmans.

The roll call developed the fact that there was not a quorum present.

Mr. Quaid moved a call of the House for the purpose of securing a quorum, and the call was duly seconded.

The Speaker then directed the Door-keeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Quaid, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

On motion of Mr. Satterwhite, the Speaker was instructed to wire all absent members to appear for duty at once, and that he request an immediate reply from each absent member.

While the House was standing at ease awaiting the development of a quorum, the following members came in and were announced present:

Messrs. Coffee, Smith, Russell of Callahan, Wells, Hull, Morgan of Liberty, Pope, Loftin, Kemble, Baldwin.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of sickness:

Mr. Dinkle and Mr. Harrington for today, on motion of Mr. Beasley.

Mr. Sweet for today, on motion of Mr. Potter.

Mr. Jones for today, on motion of Mr. Quaid.

Mr. Russell of Trinity for today, on motion of Mr. Young.

Mrs. Wilmans for today, on motion of Mr. Rogers.

Mr. McBride for today, on motion of Mr. Howeth.

Mr. Bryant for today, on motion of Mr. Howeth.

Mr. Durham for today, on motion of Mr. Stewart of Edwards.

Mr. Miller and Mr. Frnka for today, on motion of Mr. Patman.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

By Mr. Quaid:

H. B. No. 85, A bill to be entitled "An Act making appropriations for the State government for two years beginning September 1, 1923, and ending August 31, 1925, and for other purposes, and prescribing certain regulations and restrictions in respect thereto, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Quaid:

H. B. No. 86, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain educational institutions and other expenses of maintaining and conducting them as follows, to wit: University of Texas, including the Medical Branch at Galveston, and the College of Mines and Metallurgy at El Paso, Agricultural and Mechanical College, State Experimental Stations, Prairie View Normal and Industrial College, John Tarleton Agricultural Col-

lege, Grubbs Vocational College, hereafter to be known as the North Texas Junior Agricultural College, College of Industrial Arts, Texas Technological College, Sam Houston State Teachers College at Huntsville, Southwest Texas State Teachers College at San Marcos, North Texas State Teachers College at Denton, West Texas State Teachers College at Canyon, East Texas State Teachers College at Commerce, Sul Ross State Teachers College at Alpine, Stephen F. Austin State Teachers College at Nacogdoches, South Texas State Teachers College at Kingsville, Texas School for the Blind and Texas School for the Deaf, for years beginning September 1, 1923, and ending August 31, 1925, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Smith:

H. B. No. 87, A bill to be entitled "An Act to amend Article 4960, Chapter 15, Title 71, of the Revised Statutes of the State of Texas, same being Section 462 of Insurance Digest of Texas, providing for the payment of fee of \$2 by each person for each certificate of authority issued, authorizing such person to write insurance in Texas, and setting aside such fund to the expenses of the Insurance Department, and repealing Section 20 of Article 7355, Chapter 1, of Title 126 of the Revised Statutes of the State of Texas, same being Section 484 of the Insurance Digest of the State of Texas, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Price:

H. B. No. 88, A bill to be entitled "An Act providing for the levying and collection of income taxes upon individuals, firms, corporations, joint stock companies and associations residing or doing business within the State of Texas, and upon non-residents having income from property located in or business transacted within the State of Texas; fixing the rate of tax to be levied and collected from such income; providing for exemptions of amounts, or parts of income, such exemptions to be excepted from said tax; providing the manner of making tax reports to the Comptroller of Texas and returns by in-

dividuals, companies and associations; providing penalties for failure to make returns and for the failure to pay said income tax; providing that persons, firms, corporations, companies or associations subject to the provisions of this act, having paid any State ad valorem taxes accruing during any current year for which income taxes are assessed may receive credit upon their income tax assessed during said year for the amount of such ad valorem taxes paid, providing for the disposition of the revenue arising under the provisions of this act; designating what shall constitute income, under the provisions of this act, and allowing certain reductions from gross income for the purpose of calculating net income; providing for the appointment of supervisors and assistants required for the proper administration of the provisions hereof; making an appropriation for the purpose of carrying into effect the provisions of this act, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Green:

H. B. No. 89, A bill to be entitled "An Act levying an occupation tax on any person, firm, partnership, association, corporation or other concern or those operating under a 'trust' arrangement engaged in the sale in this State in intrastate commerce of any goods, wares or merchandise, or any article or commodity of trade or commerce; provided that the act shall not apply to any one paying an occupation tax based on any such sales under any other statute of this State; requiring records to be kept and reports to be made; prescribing penalties to the subject and purpose of the act; amending Chapter 2, Title 126, Revised Civil Statutes, by adding Article 7369a, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Stewart of Edwards, Mr. Stiernberg and Mr. Thrasher:

H. B. No. 90, A bill to be entitled "An Act levying an occupation tax on any person, firm, partnership, association, corporation or other concern, or those operating under a 'trust' agreement engaged in this State in conduct-

ing or operating any room, place, hall, platform or pavilion for dancing where the persons dancing or any part thereof are charged for the privilege of dancing; enacting the necessary provisions for the enforcement of the act; amending Chapter 2, Title 126, Revised Civil Statutes, by adding Article 7369b, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

AUTHORIZING COMPTROLLER TO TRANSFER CERTAIN UNEXPENDED APPROPRIATIONS.

Mr. Satterwhite offered the following resolution:

H. C. R. No. 11, Authorizing Comptroller to transfer certain appropriations.

Authorizing and directing the Comptroller of Public Accounts to transfer the unexpended balance amounting to ninety-six and 46/100 (\$96.46) dollars of an appropriation of one hundred dollars made by the Thirty-seventh Legislature at its First Called Session for contingent expense of the State Tax Board for the fiscal year ending August 31, 1923, to the credit of the appropriation made for the same fiscal year for said board for payment of postage, telegraph, telephone and express. Be it

Resolved by the House of Representatives, the Senate concurring, That

Whereas, The Thirty-seventh Legislature at its First Called Session appropriated for the State Tax Board the sum of one hundred dollars for contingent expense for the fiscal year ending August 31, 1923, and

Whereas, But \$3.54 of said appropriation has been expended, leaving a balance amounting to \$96.46, and

Whereas, At the same session the Legislature appropriated for the use of said board, to be expended during the same fiscal year, the sum of \$200 for payment of postage, telegraph, telephone and express, which sum is inadequate; therefore, be it

Resolved by the House, the Senate concurring, That the Comptroller of Public Accounts be authorized and he is hereby directed to transfer said unexpended balance of said appropriation made for contingent expense, to be available for the payment of postage, telegraph, telephone and express by the

State Tax Board during said fiscal year ending August 31, 1923.

The resolution was read second time and was adopted.

RELATING TO PRINTING CERTAIN BILLS.

Mr. Westbrook offered the following resolution:

Whereas, The Legislature in its Second Called Session passed four bills, to-wit: House bills Nos. 76, 182, 183 and 184, each and all of which were intended to enable the producers of the State to take advantage of and benefit by the Federal Farm Credits Act approved March 4, 1923, and

Whereas, Said bills have been approved and signed by the Governor and will become operative in due time, and

Whereas, There is now a great demand from interested parties throughout the State for copies of said bills and for information concerning the practical operation of these laws in relation to financing the producers,

It is therefore ordered by the House of Representatives that two hundred dollars or so much thereof as may be necessary be used out of the contingent fund of the House to print not more than five thousand copies of the four bills above mentioned, in pamphlet form. Same to be printed and distributed by the Commissioner of Markets and Warehouses to parties interested in the operation of institutions under said laws.

The Commissioner of Markets and Warehouses shall have active supervision of the printing and distribution of said bills.

Signed—Westbrook, Quaid, Pate.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,

Austin, Texas, June 4, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has concurred in House amendments to Senate bill No. 15 by a vote of 23 yeas and 0 nays.

The Senate has passed:

S. B. No. 9, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenues of the State for the several institutions and departments of the State government as named herein for the balance of the fiscal year ending August 31, 1923, and declaring an emergency."

S. B. No. 10, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State and authorizing payment of said miscellaneous items on the taking effect of this act, and declaring an emergency."

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

RELATING TO COMMITTEE CLERKS.

Mr. Moore offered the following resolution:

Whereas, There are only two committees that have any work to do, and

Whereas, We have four general committee clerks, therefore be it

Resolved by the House of Representatives, That the Speaker be instructed to dispense with the services of three of the committee clerks now employed.

Signed—Moore, Stewart of Jasper, Barker, Faubion.

The resolution was read second time.

Mr. Culp offered the following amendment to the resolution:

Amend resolution by adding the following: "The Clerk on Revenue and Taxation is hereby exempt from this resolution."

Mr. Purl moved to table the resolution.

The motion to table was lost.

Mr. DeBerry moved the previous question on the amendment and the resolution and the main question was ordered.

Question recurring on the amendment, yeas and nays were demanded.

The roll was called and developed the fact that there was not a quorum present.

Mr. Davenport moved a call of the House for the purpose of securing and maintaining a quorum pending consideration of the resolution, and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to

the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Carter of Coke, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Mr. Moore moved that the House adjourn until 10 o'clock a. m. tomorrow, and the motion was lost.

The roll was again called, and a quorum was announced present.

Mr. Davenport raised a point of order on further consideration of the resolution at this time, on the ground that the time for consideration of resolutions has expired.

The Speaker sustained the point of order.

RECESS.

On motion of Mr. Davenport, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

Mr. Barker moved a call of the House for the purpose of maintaining a quorum until 5 o'clock p. m. today, and the motion prevailed.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Parker, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

The roll was called and a quorum was announced present.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time and referred to the appropriate committees, as follows:

Senate bill No. 9, to the Committee on Appropriations.

Senate bill No. 10, to the Committee on Claims and Accounts.

RELATING TO NEW FANS FOR
HALL.

The Speaker laid before the House, as postponed business, resolution offered by Mr. Jacks, relating to new fans for Hall.

The resolution having heretofore been read second time.

On motion of Mr. Satterwhite, further consideration of the resolution was postponed until 10 o'clock a. m. next Wednesday.

HOUSE BILL NO. 77 ON SECOND
READING.

On motion of Mr. Quaid, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 77, A bill to be entitled "An Act making appropriations to pay salaries of judges and the support of the Judicial Department of the State government for the two years beginning September 1, 1923, and ending August 31, 1925."

The Speaker laid the bill before the House and it was read second time.

Mr. Quaid offered the following amendment to the bill:

Amend House bill No. 77, wherein porters' salaries appear "\$720" be reduced to "\$600" each year.

The amendment was adopted.

Mr. Pope offered the following amendment to the bill:

Amend House bill No. 77 by striking out the stenographer from each Court of Civil Appeals and inserting after the words "deputy clerk" in each Court of Civil Appeals the words "and stenographer," and by making the compensation of each deputy clerk and stenographer \$1800 per year.

Mr. Quaid moved to table the amendment.

Yeas and nays were demanded, and the motion to table was lost by the following vote:

Yeas—47.

Abney.	Carter of Hays.
Amsler.	Chitwood.
Baker of Milam.	Crawford.
Beasley.	Culp.
Bell.	Dunlap.
Bird.	Dunn.
Blount.	Edwards.
Carpenter	Fugler.
of Dallas.	Green.

Hardin of Erath.	Pool.
Harris.	Potter.
Henderson.	Purl.
of Marion.	Quaid.
Hull.	Sanford.
Irwin.	Satterwhite.
Jennings.	Shires.
Kemble.	Smith.
Loftin.	Stewart
McKean.	of Galveston.
McNatt.	Stewart of Reeves.
Martin.	Storey.
Maxwell.	Teer.
Moore.	Thrasher.
Patterson.	Williamson.
Pinkston.	Young.

Nays—51.

Avis.	Looney.
Baldwin.	Mathes.
Barker.	Melson.
Barrett.	Merritt.
Bonham.	Morgan
Cable.	of Liberty.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carson.	Patman.
Carter of Coke.	Perdue.
Cowen.	Pope.
Davenport.	Rice.
Davis.	Robinson.
DeBerry.	Rogers.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Shearer.
Duffey.	Simpson.
Faubion.	Sparkman.
Finlay.	Stell.
Greer.	Stewart
Hardin	of Edwards.
of Kaufman.	Stewart of Jasper.
Hendricks.	Stiernberg.
Howeth.	Stroder.
Johnson.	Turner.
Laird.	Wallace.
Lane.	Westbrook.
LeMaster.	

Present—Not Voting.

Mr. Speaker.	Pate.
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Absent.

Arnold.	Hughes.
Baker of Orange.	Jacks.
Bobbitt.	Lackey.
Burmeister.	LeStourgeon.
Coffee.	Lewis.
Collins.	McDaniel.
Covey.	McDonald.
Dielmann.	McFarlane.
Fields.	Montgomery.
Gipson.	Price.
Henderson	Quinn.
of McLennan.	Rowland.
Houston.	Stevens.

Strickland.
Thompson.
Vaughan.
Wells.

Wessels.
Wilson.
Winfree.

Absent—Excused.

Atkinson.
Bryant.
Dinkle.
Durham.
Frnka.
Harrington.
Jones.
Lamb.

Lusk.
McBride.
Merriman.
Miller.
Russell of Trinity.
Sackett.
Sweet.
Wilmans.

Mr. Abney raised a point of order on further consideration of the amendment on the ground that it proposes to change an existing law.

The Speaker overruled the point of order.

Question then recurring on the amendment, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—44.

Avis.
Baldwin.
Barker.
Barrett.
Bonham.
Cable.
Carpenter
of Matagorda.
Carson.
Carter of Coke.
Cowen.
Davenport.
Davis.
DeBerry.
Dodd.
Downs.
Driggers.
Duffey.
Faubion.
Fields.
Finlay.
Greer.
Hardin
of Kaufman.

Howeth.
Laird.
Lane.
Looney.
Merritt.
Morgan
of Liberty.
Patman.
Perdue.
Pope.
Price.
Rice.
Robinson.
Rogers.
Russell
of Callahan.
Shearer.
Simpson.
Stell.
Stewart of Jasper.
Stroder.
Turner.
Wallace.
Westbrook.

Nays—54.

Abney.
Amsler.
Baker of Milam.
Beasley.
Bell.
Bird.
Blount.
Carpenter
of Dallas.
Carter of Hays.
Chitwood.
Crawford.

Culp.
Dunlap.
Dunn.
Edwards.
Fugler.
Green.
Hardin of Erath.
Harris.
Henderson.
of Marion.
Hendricks.
Hull.

Irwin.
Jennings.
Johnson.
Kemble.
McKean.
McNatt.
Martin.
Mathes.
Maxwell.
Melson.
Moore.
Morgan
of Robertson.
Patterson.
Pinkston.
Pool.
Potter.

Purl.
Quaid.
Sanford.
Satterwhite.
Shires.
Smith.
Sparkman.
Stewart
of Galveston.
Stewart of Reeves.
Stiernberg.
Storey.
Teer.
Thrasher.
Wells.
Williamson.
Young.

Present—Not Voting.

Mr. Speaker.

Pate.

Absent.

Arnold.
Baker of Orange.
Bobbitt.
Burmeister.
Coffee.
Collins.
Covey.
Dielmann.
Gipson.
Henderson
of McLennan.
Houston.
Hughes.
Jacks.
Lackey.
LeMaster.
LeSturgeon.

Lewis.
Loftin.
McDaniel.
McDonald.
McFarlane.
Montgomery.
Quinn.
Rowland.
Stevens.
Stewart
of Edwards.
Strickland.
Thompson.
Vaughan.
Wessels.
Wilson.
Winfree.

Absent—Excused.

Atkinson.
Bryant.
Dinkle.
Durham.
Frnka.
Harrington.
Jones.
Lamb.

Lusk.
McBride.
Merriman.
Miller.
Russell of Trinity.
Sackett.
Sweet.
Wilmans.

Mr. Rogers offered the following amendment to the bill:

Amend House bill No. 77 by striking out the appropriations for each Court of Civil Appeals.

On motion of Mr. Potter, the amendment was tabled.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 77 was then passed to engrossment by the following vote:

Yeas—83.

Mr. Speaker.	Lane.
Abney.	LeMaster.
Amsler.	McKean.
Baker of Milam.	McNatt.
Baldwin.	Martin.
Barker.	Mathes.
Barrett.	Melson.
Beasley.	Moore.
Bell.	Morgan
Bird.	of Liberty.
Blount.	Morgan
Bonham.	of Robertson.
Cable.	Pate.
Carpenter	Patman.
of Dallas.	Patterson.
Carpenter	Perdue.
of Matagorda.	Pinkston.
Carson.	Pool.
Carter of Coke.	Potter.
Chitwood.	Price.
Cowen.	Purl.
Crawford.	Quaid.
DeBerry.	Robinson.
Downs.	Russell
Driggers.	of Callahan.
Duffey.	Sanford.
Dunlap.	Satterwhite.
Dunn.	Shires.
Edwards.	Simpson.
Faubion.	Smith.
Fugler.	Sparkman.
Green.	Stell.
Greer.	Stewart
Hardin of Erath.	of Galveston.
Hardin	Stewart of Reeves.
of Kaufman.	Stiernberg.
Harris.	Storey.
Henderson.	Stroder.
of Marion.	Teer.
Hendricks.	Thrasher.
Howeth.	Turner.
Hull.	Wallace.
Irwin.	Wells.
Jennings.	Westbrook.
Johnson.	Williamson.
Kemble.	Young.

Nays—18.

Avis.	Maxwell.
Carter of Hays.	Merritt.
Culp.	Pope.
Davenport.	Rice.
Davis.	Rogers.
Dodd.	Shearer.
Fields.	Stewart
Finlay.	of Edwards.
Laird.	Stewart of Jasper.
Looney.	

Absent.

Arnold.	Coffee.
Baker of Orange.	Collins.
Bobbitt.	Covey.
Burmeister.	Dielmann.

Gipson.	McFarlane.
Henderson	Montgomery.
of McLennan.	Quinn.
Houston.	Rowland.
Hughes.	Stevens.
Jacks.	Strickland.
Lackey.	Thompson.
LeSturgeon.	Vaughan.
Lewis.	Wessels.
Loftin.	Wilson.
McDaniel.	Winfree.
McDonald.	

Absent—Excused.

Atkinson.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmons.

HOUSE BILL NO. 77 ON THIRD READING.

Mr. Quaid moved that the constitutional rule requiring bills to be read on three several days be suspended, and that House bill No. 77 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—92.

Mr. Speaker.	Dunn.
Abney.	Edwards.
Amsler.	Faubion.
Baker of Milam.	Fields.
Baldwin.	Finlay.
Barker.	Fugler.
Barrett.	Green.
Beasley.	Greer.
Bell.	Hardin of Erath.
Bird.	Hardin
Blount.	of Kaufman.
Bonham.	Harris.
Cable.	Henderson.
Carpenter	of Marion.
of Dallas.	Hendricks.
Carpenter	Howeth.
of Matagorda.	Hull.
Carson.	Irwin.
Carter of Coke.	Jennings.
Carter of Hays.	Johnson.
Chitwood.	Kemble.
Cowen.	Lane.
Crawford.	LeMaster.
Culp.	McKean.
Davenport.	McNatt.
Davis.	Martin.
DeBerry.	Mathes.
Downs.	Maxwell.
Driggers.	Melson.
Duffey.	Merritt.
Dunlap.	Moore.

Morgan of Liberty.	Shearer.
Morgan of Robertson.	Shires.
Pate.	Simpson.
Patman.	Smith.
Patterson.	Sparkman.
Perdue.	Stewart
Pinkston.	of Galveston.
Pool.	Stewart of Jasper.
Potter.	Stewart of Reeves.
Price.	Stiernberg.
Purl.	Storey.
Quaid.	Stroder.
Robinson.	Teer.
Russell	Thrasher.
of Callahan.	Turner.
Sanford.	Vaughan.
Satterwhite.	Wells.
	Westbrook.
	Williamson.

Nays—9.

Avis.	Rice.
Dodd.	Rogers.
Laird.	Stell.
Looney.	Stewart
Pope.	of Edwards.

Absent.

Arnold.	Lewis.
Baker of Orange.	Loftin.
Bobbitt.	McDaniel.
Burmeister.	McDonald.
Coffee.	McFarlane.
Collins.	Montgomery.
Covey.	Quinn.
Dielmann.	Rowland.
Gipson.	Stevens.
Henderson	Strickland.
of McLennan.	Thompson.
Houston.	Wallace.
Hughes.	Wessels.
Jacks.	Wilson.
Lackey.	Winfree.
LeStourgeon.	Young.

Absent—Excused.

Atkinson.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmans.

The Speaker then laid House bill No. 77 before the House on its third reading and final passage.

The bill was read third time.

Question recurring on the final passage of the bill, yeas and nays were demanded.

House bill No. 77 was then passed by the following vote:

Yeas—85.

Mr. Speaker.	LeMaster.
Abney.	McKean.
Baker of Milam.	McNatt.
Baldwin.	Martin.
Barker.	Mathes.
Barrett.	Melson.
Beasley.	Merritt.
Bell.	Moore.
Bird.	Morgan
Blount.	of Liberty.
Bonham.	Morgan
Cable.	of Robertson.
Carpenter	Pate.
of Dallas.	Patman.
Carpenter	Patterson.
of Matagorda.	Perdue.
Carson.	Pinkston.
Carter of Coke.	Pool.
Carter of Hays.	Potter.
Chitwood.	Price.
Cowen.	Purl.
Crawford.	Quaid.
Davenport.	Robinson.
DeBerry.	Russell
Downs.	of Callahan.
Driggers.	Sanford.
Duffey.	Satterwhite.
Dunlap.	Shires.
Dunn.	Simpson.
Edwards.	Smith.
Faubion.	Sparkman.
Fugler.	Stewart
Green.	of Galveston.
Greer.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Hardin	Stiernberg.
of Kaufman.	Storey.
Harris.	Stroder.
Henderson.	Teer.
of Marion.	Thrasher.
Hendricks.	Turner.
Hull.	Wallace.
Irwin.	Wells.
Jennings.	Westbrook.
Johnson.	Williamson.
Kemble.	Young.
Lane.	

Nays—16.

Avis.	Maxwell.
Culp.	Pope.
Davis.	Rice.
Dodd.	Rogers.
Fields.	Shearer.
Finlay.	Stell.
Howeth.	Stewart
Laird.	of Edwards.
Looney.	

Absent.

Amsler.	Coffee.
Atkinson.	Collins.
Baker of Orange.	Covey.
Bobbitt.	Dielmann.
Burmeister.	Gipson.

Henderson	McFarlane.
of McLennan.	Montgomery.
Houston.	Quinn.
Hughes.	Rowland.
Jacks.	Stevens.
Lackey.	Strickland.
LeSturgeon.	Thompson.
Lewis.	Vaughan.
Loffin.	Wessels.
McDaniel.	Wilson.
McDonald.	Winfree.

Absent—Excused.

Arnold.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmans.

HOUSE BILL NO. 6 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Civil Statutes of the State of Texas, 1911, relative to the levy of occupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384r, said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations engaged in and pursuing the business of brokers, factors, commission merchants or manufacturers' agents; levying a tax of one-half of one per cent on the gross annual commissions and brokerage or sales and purchases of said individuals, companies, associations or corporations, and declaring an emergency."

The bill having heretofore been read second time.

On motion of Mr. Patman, further consideration of the bill was postponed until 2 o'clock p. m. next Wednesday.

HOUSE BILL NO. 7 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment,

H. B. No. 7, A bill to be entitled "An Act to amend Chapter 2, Title 126, of the Revised Statutes of the State of Texas, 1911, relative to the levy of oc-

cupation taxes based on gross receipts, by adding thereto a new article to be numbered Article 7384t, said article extending the provisions of said chapter so as to include individuals, companies, associations or corporations owning, operating or controlling an establishment in this State for the manufacture or distribution, at wholesale, of casings, tires, tubes, parts, accessories and supplies for motor vehicles; levying a tax of one-fourth of one per cent on the gross receipts of said individuals, companies, associations or corporations, and declaring an emergency."

The bill having heretofore been read second time.

On motion of Mr. Patman, further consideration of the bill was postponed until 2 o'clock p. m. next Wednesday.

HOUSE BILL NO. 68 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 68, A bill to be entitled "An Act to amend Sections 5 and 7 of the Acts of the Second Called Session of the Thirty-eighth Legislature of the State of Texas, known as House bill No. 11, entitled 'An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for services rendered in collecting such taxes, further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature, as amended by Section 1 of Chapter 64 of the General Laws, passed at the Second Called Session of the Thirty-sixth Legislature; amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7687, 7688, 7689, 7692, 7699 of the Revised Civil Statutes of the State of Texas of 1911; repealing Section 3, Chapter 147, of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature, as amended by Section 2, Chapter 64, of the General Laws of the State of Texas passed by the Second Called Session of the Thirty-

sixth Legislature; adding to Chapter 15 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes; repealing all laws in conflict with the provisions of this act, and declaring an emergency,' by making Section 5 refer to Article 7689 instead of Article 7687, and by defining more clearly what moneys shall be sent by the sheriff to the State Treasurer when the sheriff shall make a sale as provided for in said act, and by amending Section 7, more clearly defining fees to be allowed county attorneys under said act, and declaring an emergency."

The bill was read second time.

Mr. Williamson raised a point of order on further consideration of the bill on the ground that it does not come within the Governor's call.

The Speaker overruled the point of order.

Mr. Davenport moved that further consideration of the bill be postponed until 10 o'clock p. m. Tuesday.

Mr. Culp moved as a substitute that further consideration of the bill be postponed until 2 o'clock p. m. next Friday.

On motion of Mr. Bonham, the motion of Mr. Culp was tabled.

Mr. Williamson moved as a substitute that further consideration of the bill be postponed until 2 o'clock p. m. next Wednesday.

Question first recurring on the motion of Mr. Williamson, it was lost.

Question then recurring on the motion of Mr. Davenport, it prevailed.

HOUSE BILL NO. 70 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 70, A bill to be entitled "An Act to pay miscellaneous claims due by the State, said claims being legal and lawful charges against the State; repealing all laws in conflict with this act, and declaring an emergency."

The bill was read second time.

On motion of Mr. Smith, further con-

sideration of the bill was postponed until 11 o'clock a. m. tomorrow.

HOUSE BILL NO. 71 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 71, A bill to be entitled "An Act providing for the rendition for taxation and assessment thereof of all merchandise and stocks sold by mercantile establishments in the State of Texas, and providing for efficient method for the assessment thereof, and declaring an emergency."

The bill was read second time.

On motion of Mr. Irwin, the bill was laid on the table subject to call.

HOUSE BILL NO. 72 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 72, A bill to be entitled "An Act providing for the assessment of property stored in warehouses and requiring that every warehouseman in the State of Texas who holds property belonging to any person, co-partnership, association or corporation shall furnish to the tax assessor of the county in which such property is held a list of such property and the name and address of the owner thereof, and declaring an emergency."

The bill was read second time.

On motion of Mr. Irwin, the bill was laid on the table subject to call.

HOUSE BILL NO. 60 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 60, A bill to be entitled "An Act amending Article 7542 as amended by the Acts of 1897, defining the duties of the tax assessor and his deputies, prescribing an oath to be administered to the taxpayers and those who render property for taxation, and providing a penalty for failure to comply with the requirements of this act."

The bill was read third time and was passed.

PROPOSED AMENDMENT TO THE
EDUCATIONAL APPROPRIATION BILL.

Mr. Pope moved that certain proposed amendments to the educational appropriation bill be printed in the Journal.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—85.

Abney.	Loftin.
Amaler.	Looney.
Avis.	McNatt.
Baldwin.	Merritt.
Barker.	Moore.
Barrett.	Morgan
Beasley.	of Liberty.
Bird.	Morgan
Blount.	of Robertson.
Bonham.	Pate.
Cable.	Patman.
Carpenter	Perdue.
of Dallas.	Pinkston.
Carpenter	Pool.
of Matagorda.	Pope.
Carson.	Potter.
Carter of Coke.	Price.
Cowen.	Purl.
Crawford.	Rice.
Culp.	Robinson.
Davenport.	Rogers.
Davis.	Russell
DeBerry.	of Callahan.
Dodd.	Sanford.
Downs.	Satterwhite.
Driggers.	Shearer.
Duffey.	Shires.
Dunlap.	Simpson.
Dunn.	Smith.
Faubion.	Sparkman.
Fields.	Stell.
Finlay.	Stewart
Green.	of Edwards.
Greer.	Stewart
Hardin of Erath.	of Galveston.
Hardin	Stewart of Jasper.
of Kaufman.	Stiernberg.
Harris.	Storey.
Henderson.	Stroder.
of Marion.	Teer.
Hendricks.	Thrasher.
Howeth.	Turner.
Hull.	Wallace.
Johnson.	Wells.
Kemble.	Westbrook.
Laird.	Williamson.
Lane.	Young.

Nays—12.

Bell.	Jennings.
Chitwood.	LeMaster.
Edwards.	McKean.
Fugler.	Martin.

Mathes.
Maxwell.

Patterson.
Stewart of Reeves.

Present—Not Voting.

Mr. Speaker.	Carter of Hays.
Baker of Milam.	Quaid.

Absent.

Arnold.	LeStourgeon.
Baker of Orange.	Lewis.
Bobbitt.	McDaniel.
Burmeister.	McDonald.
Coffee.	McFarlane.
Collins.	Melson.
Covey.	Montgomery.
Dielmann.	Quinn.
Gipson.	Rowland.
Henderson	Stevens.
of McLennan.	Strickland.
Houston.	Thompson.
Hughes.	Vaughan.
Irwin.	Wessels.
Jacks.	Wilson.
Lackey.	Winfree.

Absent—Excused.

Atkinson.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmans.

Mr. Satterwhite moved to reconsider the vote by which the amendment was ordered printed in the Journal, and asked to have the motion to reconsider spread on the Journal.

Mr. Pope called up the motion to reconsider and moved to table the motion.

Question recurring on the motion to table, yeas and nays were demanded.

The motion to table prevailed by the following vote:

Yeas—60.

Abney.	DeBerry.
Avis.	Dodd.
Barker.	Downs.
Beasley.	Faubion.
Bird.	Fields.
Bonham.	Finlay.
Cable.	Green.
Carson.	Greer.
Carter of Coke.	Hardin
Cowen.	of Kaufman.
Crawford.	Henderson.
Culp.	of Marion.
Davenport.	Howeth.
Davis.	Hull.

Johnson.	Russell
Laird.	of Callahan.
Lamb.	Sanford.
Lane.	Shearer.
Loftin.	Simpson.
Looney.	Smith.
Merritt.	Sparkman.
Morgan	Stell.
of Liberty.	Stewart
Pate.	of Galveston.
Patman.	Stiernberg.
Pinkston.	Storey.
Pool.	Stroder.
Pope.	Teer.
Purl.	Turner.
Rice.	Wallace.
Robinson.	Wells.—
Robgers.	Westbrook.
	Williamson.
	Young.

Nays—36.

Amsler.	Jennings.
Baker of Milam.	Kemble.
Baldwin.	LeMaster.
Barrett.	McKean.
Bell.	McNatt.
Carpenter	Martin.
of Dallas.	Mathes.
Carpenter	Maxwell.
of Matagorda.	Moore.
Carter of Hays.	Morgan
Chitwood.	of Robertson.
Driggers.	Patterson.
Duffey.	Potter.
Dunn.	Satterwhite.
Edwards.	Shires.
Fugler.	Stewart
Hardin of Erath.	of Edwards.
Harris.	Stewart of Jasper.
Hendricks.	Stewart of Reeves.
Irwin.	Thrasher.

Present—Not Voting.

Mr. Speaker.	Perdue.
Blount.	Quaid.
Dunlap.	

Absent.

Arnold.	Lewis.
Baker of Orange.	McDaniel.
Bobbitt.	McDonald.
Burmeister.	McFarlane.
Coffee.	Melson.
Collins.	Montgomery.
Covey.	Price.
Dielmann.	Quinn.
Gipson.	Rowland.
Henderson	Stevens.
of McLennan.	Strickland.
Houston.	Thompson.
Hughes.	Vaughan.
Jacks.	Wessels.
Lackey.	Wilson.
LeSturgeon.	Winfree.

Absent—Excused.

Atkinson.	McBride.
Bryant.	Merriman.
Dinkle.	Miller.
Durham.	Russell of Trinity.
Frnka.	Sackett.
Harrington.	Sweet.
Jones.	Wilmans.
Lusk.	

HOUSE BILL NO. 63 ON THIRD READING.

The Speaker laid before the House, on its third reading and final passage,

H. B. No. 63, A bill to be entitled "An Act for the collection of inheritance taxes and empowering the Comptroller with authority to appoint suitable persons for that purpose, and providing for their compensation; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and was passed by the following vote:

Yeas—97.

Mr. Speaker.	Green.
Abney.	Greer.
Amsler.	Hardin of Erath.
Baker of Milam.	Harris.
Baldwin.	Henderson.
Barker.	of Marion.
Barrett.	Hendricks.
Beasley.	Howeth.
Bell.	Hull.
Bird.	Irwin.
Blount.	Jennings.
Bonham.	Johnson.
Cable.	Kemble.
Carpenter	Laird.
of Dallas.	Lane.
Carpenter	LeMaster.
of Matagorda.	Loftin.
Carson.	Looney.
Carter of Coke.	McNatt.
Carter of Hays.	Martin.
Chitwood.	Mathes.
Cowen.	Melson.
Crawford.	Merritt.
Culp.	Moore.
Davenport.	Morgan
DeBerry.	of Liberty.
Dodd.	Morgan
Downs.	of Robertson.
Driggers.	Pate.
Duffey.	Patman.
Dunlap.	Patterson.
Dunn.	Perdue.
Edwards.	Pinkston.
Faubion.	Pool.
Fields.	Pope.
Finlay.	Potter.
Fugler.	Price.

Purl.	Stewart
Quaid.	of Galveston.
Rice.	Stewart of Jasper.
Robinson.	Stewart of Reeves.
Rogers.	Stiernberg.
Russell of Callahan.	Storey.
Sanford.	Stroder.
Satterwhite.	Teer.
Shearer.	Thrasher.
Shires.	Turner.
Simpson.	Wallace.
Smith.	Wells.
Sparkman.	Westbrook.
Stell.	Williamson.
Stewart	Young.
of Edwards.	

Nays—4.

Avis.	McKean.
Hardin	Maxwell.
of Kaufman.	

Present—Not Voting.

Davis.

Absent.

Arnold.	LeSturgeon.
Baker of Orange.	Lewis.
Bobbitt.	McDaniel.
Burmeister.	McDonald.
Coffee.	McFarlane.
Collins.	Montgomery.
Covey.	Quinn.
Dielmann.	Rowland.
Gipson.	Stevens.
Henderson	Strickland.
of McLennan.	Thompson.
Houston.	Vaughan.
Hughes.	Wessels.
Jacks.	Wilson.
Lackey.	Winfree.

Absent—Excused.

Atkinson.	Lusk.
Bryant.	McBride.
Dinkle.	Merriman.
Durham.	Miller.
Frnka.	Russell of Trinity.
Harrington.	Sackett.
Jones.	Sweet.
Lamb.	Wilmans.

ADJOURNMENT.

On motion of Mr. Davenport, the House, at 4:40 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committee has filed favorable reports on bills as follows:

Appropriations—House bills Nos. 76, 51, 74, 77.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room.

Austin, Texas, June 1, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 67, A bill to be entitled "An Act levying and providing for the payment of a State occupation tax on those who, in this State, refine, compound, manufacture, blend or prepare gasoline or gasoline substitute from petroleum or natural gas; requiring reports to be made and records to be kept, and permitting inspection thereof by proper public officials, and prescribing penalties for failure to comply with the act in order to facilitate collection of such occupation taxes; providing for interest on delinquent taxes and penalties; making disposition of the taxes after collected; defining gasoline; declaring the legislative intent as to parts of the act being held invalid; repealing the present gasoline occupation tax law; defining 'person' as used in the act, and declaring an emergency,"

And find the same correctly engrossed.

SANFORD, Acting Chairman.

Committee Room,

Austin, Texas, June 1, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 36, A bill to be entitled "An Act amending Section 15 of Article 7355 of the Revised Civil Statutes of Texas of 1911, relative to occupation taxes; fixing the amount of taxes to be levied on all carnival companies; conferring upon counties, incorporated cities, towns and villages authority to levy occupation taxes; providing for the bringing of suit for the collection of such taxes due the State of Texas, and fixing the venue thereof, and declaring an emergency,"

And find the same correctly engrossed.

SANFORD, Acting Chairman.

ANNIVERSARY OF JEFFERSON DAVIS.

Mr. Harris offered the following resolution:

Whereas, Yesterday, June 3, 1923, was the one hundred and fifteenth anniversary of the birth of that renowned gentleman, statesman and patriot, Jefferson Davis, than whom no more worthy son of America ever lived; and

Whereas, To our beloved patriots of the past are due our respect and honor; therefore, be it

Resolved, That the House of Representatives of the State of Texas dedicate a page of the Journal of its proceedings to the memory of this, the President of the Southern Confederacy.

HARRIS,
HENDRICKS,
MOORE.

The resolution was read second time and was adopted.